

1 The Honorable Richard A. Jones
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,

16 NO. CR19-210RAJ

17 Plaintiff,

18 v.
19 ORDER CONTINUING
20 ALLAN B. THOMAS and
21 TRIAL DATE
22 JOANN E. THOMAS,
23 Defendants.
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26 The Court having considered the *ex parte* sealed filing presented by defense counsel
27 for Allan Thomas and having held a status conference on January 10, 2022, concerning the
28 trial date in this matter at which defense counsel for Allan Thomas represented that he could
not effectively prepare for, and try, this case on the currently scheduled date of January 31,
2022, due to a medical issue;

29 Both defendants having moved for a continuance of the trial date in order to allow
30 counsel for Allan Thomas time to address the issue and to prepare for and represent his client
31 at trial;

32 And both defendants having indicated on the record that they are willing to waive
33 their right to a speedy trial until April 30, 2022, in order to allow counsel for Allan Thomas
34 effectively to prepare for and represent his client;

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36 ORDER CONTINUING TRIAL DATE – 1
37 *United States v. Allan B. Thomas*
38 and Joann E. Thomas, CR19-210RAJ

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40 UNITED STATES ATTORNEY
41 700 STEWART STREET, SUITE 5220
42 SEATTLE, WASHINGTON 98101
43 (206) 553-7970

THE COURT FINDS, based upon the representations made by defense counsel for Allan Thomas, that defense counsel could not effectively represent Allan Thomas if trial were to proceed on the currently scheduled date of January 31, 2022;

THE COURT FURTHER FINDS that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendants in a more speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(i) & (iv).

IT IS THEREFORE ORDERED that the defendants' motion to continue the trial date is GRANTED and the current trial date of January 31, 2022, is hereby stricken;

IT IS FURTHER ORDERED that trial is now SCHEDULED to begin on April 25, 2022, at 9:00 a.m.

IT IS FURTHER ORDERED that the time between today's date and April 25, 2022, is excluded in computing the time within which trial must commence, because the ends of justice served by granting this continuance outweigh the best interest of the public and the defendants in a more speedy trial. *See 18 U.S.C. § 3161(h)(7)(A).* Failure to grant this continuance would likely make trial impossible, could result in a miscarriage of justice, and would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id. § 3161(B)(i) & (iv).*

IT IS FURTHER ORDERED that the Court will hold a pretrial conference at 3:30 p.m. on March 25, 2022.

DATED this 11th day of January, 2022.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge